

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

IN RE:

VERNON DAVON MITCHELL XXX-XX-8479
(Vernon D Mitchell, Vernon Mitchell)
206 YVONNE CIRCLE
LADSON, SC 29456

Debtor

CASE NO: 20-03867-DD

(CHAPTER 13)

**NOTICE OF MOTION/APPLICATION AND
OPPORTUNITY FOR HEARING**

NOTICE OF MOTION TO DISMISS CHAPTER 13 CASE AND POSSIBLE HEARING

James M. Wyman, the Chapter 13 Trustee, has filed papers with the court to dismiss this Chapter 13 case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to dismiss this Chapter 13 case, or if you want the court to consider your views on the motion to dismiss, then within twenty-one (21) days of service of this notice, you or your attorney must:

File with the court a written response, return, or objection at:

U.S. Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201-2423

Responses, returns, or objections filed by an attorney must be electronically filed in ecf.scb.uscourts.gov.

If you mail your response, return, or objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to:

James M. Wyman
Office of the Chapter 13 Trustee
P.O. Box 997
Mt. Pleasant, SC 29465-0997

Attend the hearing scheduled to be heard on October 27, 2021, at 10:00 am at the United States Bankruptcy Court, 145 King Street, Room 225, Charleston, SC 29401.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief prior to the scheduled hearing date, if determined to be appropriate.

Dated: September 03, 2021

/s/ Russell Jackson, II

PO Box 997
Mt. Pleasant, SC 29465-0997
Phone: (843) 388-9844
Fax: (843) 388-9877
Email: 13office@charleston13.com

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

VERNON DAVON MITCHELL

Debtor

CASE NO: 20-03867-DD

(CHAPTER 13)

TRUSTEE'S MOTION TO DISMISS CHAPTER 13 CASE
FOR NON-PAYMENT

NOW COMES the Chapter 13 Trustee in this case and alleges:

1. This court has jurisdiction over this matter under 28 U.S.C. Section 1334 and 11 U.S.C Section 1307(c)(5).
2. The Debtor in this case has not made the required payments under the plan .
3. Debtor Is past due **\$3,415.00** as of **August 2021**. The Trustee requests that the Debtor cure the

Payments as follows to be received by the Trustee by the end of the following months:

| | | | |
|----------------|---------------|----------------|---------------|
| September 2021 | at \$1,135.00 | April 2022 | at \$1,420.00 |
| October 2021 | at \$1,420.00 | May 2022 | at \$1,420.00 |
| November 2021 | at \$1,420.00 | June 2022 | at \$1,420.00 |
| December 2021 | at \$1,420.00 | July 2022 | at \$1,420.00 |
| January 2022 | at \$1,420.00 | August 2022 | at \$1,420.00 |
| February 2022 | at \$1,420.00 | September 2022 | at \$1,420.00 |
| March 2022 | at \$1,420.00 | | |

Resume regular monthly payments of \$1,135.00 beginning **October 15, 2022**.

4. If the Debtor is currently or in the process of having Trustee payments automatically debited from a paycheck, **ONLY** the Debtor('s) regular monthly payment can be deducted. Debtor are responsible for sending in the **EXTRA** payments needed to bring the case current.
5. The Trustee requests that should the Debtor fail to cure the delinquency as set forth above , that an order be entered dismissing the case.

Dated: September 03, 2021

/s/ James M. Wyman

James M. Wyman
Chapter 13 Trustee
PO Box 997
Mt. Pleasant, SC 29465-0997
Phone: (843) 388-9844
Fax: (843) 388-9877
Email: 13office@charleston13.com

20-03867-DD

CERTIFICATE OF SERVICE

I did this date serve the attached document(s) on the parties listed below by placing the same in the United States mail with proper postage affixed thereto and addressed as follows:

VERNON DAVON MITCHELL
206 YVONNE CIRCLE
LADSON, SC 29456

Moss & Associates, PA
2170 Ashley Phosphate Road
First Citizens Bldg, Ste 405
North Charleston, SC 29406-0000

Date: September 03, 2021

/s/ Russell Jackson, II

PO Box 997
Mt. Pleasant, SC 29465-0997
Phone: (843) 388-9844 x 3002
Fax: (843) 388-9877
Email: 13office@charleston13.com